

Message Text

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12/22

ACTION EUR-12

INFO OCT-01 ISO-00 PM-04 NSC-05 SP-02 SS-15 OMB-01 L-03

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R 162145Z JAN 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 5732

SECDEF WASHDC

INFO AMEMBASSY ANKARA

AMEMBASSY ATHENS

CINC EUR VAIHINGEN

C O N F I D E N T I A L BONN 00834

(CORRECTED COPY, LINE 6 PARA ONE)

E. O. 11652: GDS

TAGS: MASS, GW, TU, GR

SUBJECT: FRG SURPLUS AIRCRAFT TRANSFER PROBLEMS

REFS: (A) BONN 17284 DTG 221615Z OCT 75

(B) STATE 270480 DTG 142108Z NOV 75

(C) STATE 204775 DTG 272348Z AUG 75

1. FRG DEFENSE MINISTER LEBER'S PERSONAL AIDE DR. WALTER STUETZLE, INVITED AN EMBASSY OFFICER TO CALL ON HIM ON JANUARY 16 TO BE INFORMED OF THE MINISTER'S CONCERN ABOUT THE DELAY ON THE PART OF THE US IN APPROVING THE TRANSFER OF TWO TF-104 AIRCRAFT TO TURKEY. LEBER HAD DISCUSSED THIS MATTER WITH THEN SECRETARY OF DEFENSE SCHLESINGER ON SEPTEMBER 28 WHILE HE WAS IN BONN (REF A) AND ALSO RAISED THE ISSUE WITH SECRETARY RUMSFELD DURING THE DPC MEETING IN BRUSSELS. IN BOTH INSTANCES, WE WERE ADVISED, THE SECRETARIES INSTRUCTED THEIR AIDES TO INVESTIGATE THE PROBLEM WITH A VIEW TO GRANTING PERMISSION FOR THE TRANSFER. LEBER'S AIDE MENTIONED THAT SECRETARY SCHLESINGER HAD INDICATED THERE WERE LEGAL PROBLEMS WHICH MIGHT CAUSE A DELAY.

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2. WE INFORMED STUETZLE THAT THE DEPARTMENT WANTED TO APPROVE THE TRANSFER, BUT WAS PRECLUDED FROM DOING SO BECAUSE OF LEGISLATION WHICH SPECIFICALLY DELAYED AUTHORITY FOR THE US TO ENTER INTO NEW FMS CONTRACTS WITH TURKEY UNTIL THE ENACTMENT OF FY 76 SECURITY ASSISTANCE AUTHORIZING LEGISLATION (REF B). WE ADVISED STUETZLE THAT THE SENATE AND HOUSE WERE STILL CONSIDERING THE LEGISLATION, BUT THAT IT WAS NOT YET KNOWN WHEN IT WOULD BE ENACTED.

3. COMMENT: MINISTER LEBER PLANS TO VISIT ANKARA ON FEBRUARY 1. AT THAT TIME, HE WILL HAVE TO EXPLAIN TO HIS TURKISH HOSTS THAT THE FRG CANNOT TRANSFER TWO OF THEIR AIRCRAFT TO TURKEY BECAUSE OF US LEGISLATION. WE SUGGEST THAT SECRETARY RUMSFELD BE PREPARED TO RAISE THIS SUBJECT SOMETIME DURING THE COURSE OF THE NPG MEETING IN HAMBURG ON JANUARY 21-22. IT WOULD PROBABLY BE MOST HELPFUL TO LEBER IF HE COULD RECEIVE SECRETARY RUMSFELD'S EVALUATION OF THE PROSPECTS FOR PASSAGE OF THE SECURITY ASSISTANCE LEGISLATION WHICH WOULD UNTIE US HANDS ON THIS MATTER. ARMED WITH THIS INFORMATION, LEBER WOULD BE ABLE TO ADVISE THE TURKS THAT THEY COULD EXPECT DELIVERY OF THE AIRCRAFT SHORTLY AFTER PASSAGE OF THE NECESSARY US LEGISLATION IN EITHER FEBRUARY OR MARCH AS THE CASE MAY BE.

IT IS CLEAR TO US THAT LEBER IS UPSET ABOUT THIS MATTER AND THAT IT COULD DETERIORATE INTO A POLITICAL PROBLEM BETWEEN THE TWO GOVERNMENTS. ACCORDINGLY, THE EMBASSY BELIEVES IT IS ADVISABLE FOR THE US TO RAISE WITH THE FRG THE LARGER QUESTION OF UPDATING THE 1965 PROCEDURES WHICH GOVERN US APPROVAL OF THE SALE OR TRANSFER TO THIRD PARTIES OF US-ORIGIN EQUIPMENT (REF C). END COMMENT.

4. ACTION REQUESTED: THE EMBASSY WOULD APPRECIATE RECEIVING GUIDANCE REGARDING WHETHER THE DEPARTMENT INTENDS TO REVIEW THE 1965 PROCEDURES.
HILLENBRAND

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